



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,103	09/21/2001	Gaku Todokoro	FUJY 19.017	5091
7590 10/10/2003 Rosenman & Colin LLP 575 Madison Avenue New York, NY 10022-2585			EXAMINER RONES, CHARLES	
			ART UNIT 2175	PAPER NUMBER

DATE MAILED: 10/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,103

Applicant(s)

TODOKORO ET AL.

Examiner

Charles L. Rones

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8-12-03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Amendment

The preliminary amendment timely filed on August 12, 2003 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leung et al. U.S. Patent No. 6,282,570 ('Leung').

Leung discloses:

As to claim 1,

Leung discloses the claimed invention except for transmitting, by the first monitoring device, a control command with a network address of the first monitoring device to the communications device; a second step of transmitting, by the communications device, the network address of the first monitoring device received from the first monitoring device to the second monitoring device. It would have been obvious to one having ordinary skill in the art at the time the invention was made to

transmitting, by the first monitoring device, a control command with a network address of the first monitoring device to the communications device; a second step of transmitting, by the communications device, the network address of the first monitoring device received from the first monitoring device to the second monitoring device since it was known in the art that computers connected to a network use Ethernet cards use the address of the Ethernet card to transmit and exchange data on the network between devices.

a third step of updating, by the first monitoring device, registered data recorded in the database accommodated by the first monitoring device; See 4:5-60; 6:25-62; and

a fourth step of transmitting, by the second monitoring device, a read-out request for reading out registered data which is altered by the updating operation and recorded in the database accommodated by the first monitoring device to the first monitoring device by using the network address of the first monitoring device received from the communications device; See 7:35-45; 8:56-67; and

wherein when the second monitoring device receives the registered data altered by the updating operation from the first monitoring device, the second monitoring device updates registered data recorded in the database accommodated by the second monitoring device based on the registered data received from the first monitoring device; See 12:40-67.

As to claim 2,

a fifth step of performing control by the communications device, based on the control command received from the first monitoring device, and transmitting, by the communications device, the controlled result to the first monitoring device, wherein the third step, when the first monitoring device receives the controlled result from the communications device, the first monitoring device updates registered data recorded in the database accommodated by the first monitoring device; See 7:35-45; 8:56-67.

As to claim 3,

a sixth step of receiving, by the first monitoring device, a control request for controlling the communications device from an operator; See 7:1-45;

wherein the first step, when the first monitoring device receives the control request from the operator, the first monitoring device transmits the control command with a network address of the first monitoring device to the communications device; See 7:35-45; 8:56-67.

As to claim 4,

wherein the registered data is physical data; See 7:35-45; 8:56-67.

As to claim 5,

wherein the physical data is data being managed inside the communications device, such as settings for operations of the communications device; See 3:1-60.

As to claim 6,

a seventh step of receiving, by the first monitoring device, a request for altering the database accommodated by the first monitoring device which does not control the communication device from the operator; See 4:1-25; 7:35-45; 8:56-67;

wherein the first step, when the first monitoring device receives the request which does not control the communication device from the operator, the first monitoring device transmits a dummy control command with a network address of the first monitoring device to the communications device; See 4:1-25; 7:35-45; 8:56-67.

As to claim 9,

transmitting, by the first monitoring device, a request for reading the network address of the second monitoring device to the communications device;

transmitting, by the first monitoring device, a request for reading registered data which is altered by a updating operation and recorded in the database accommodated by the second monitoring device to the second monitoring device by using the network address of the second monitoring device received from the communications device, when the first monitoring device receives the network address of the second monitoring device from the communications device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

updating, by the first monitoring device, registered data recorded in the database accommodated by the first monitoring device based on the registered data received from the second monitoring device, when the first monitoring device receives the registered data which is altered by the updating operation and recorded in the database

accommodated by the second monitoring device from the second monitoring device;
See 12:40-67.

As to claim 10,

transmitting, by a second monitoring device, a request for reading the network address of the first monitoring device to the first communication device, when the second monitoring device is newly connected to the network; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

transmitting, by a second monitoring device, to the first monitoring device a request for reading data relevant to the second communications device which is recorded in the database accommodated by the first monitoring device, by using the network address of the first monitoring device received from the first communication device, when the second monitoring device receives the network address of the first monitoring device from the first communications device; See 4:5-60; 6:25-62;

recording, by the second monitoring device, the data relevant to the second communications device received from the first monitoring device in a database accommodated by the second monitoring device, when the second monitoring device receives the data relevant to the second communications device from the first monitoring device; See 4:5-60; 6:25-62.

As to claim 11,

a control command transmitting unit transmitting a control command with a network address of the first monitoring device from the first monitoring device to the communications device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

an address transmitting unit transmitting the network address of the first monitoring device received from the first monitoring device from the communications device to the second monitoring device;

a first database updating unit updating registered data recorded in the database accommodated by the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

a request transmitting unit transmitting a read-out request for reading out registered data which is altered by the updating operation and recorded in the database accommodated by the first monitoring from the second monitoring device to the first monitoring device, by using the network address of the first monitoring device received from the communications device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67; and

a second database updating unit updating registered data recorded in the database accommodated by the second monitoring device based on the registered data received from the first monitoring device, when the second monitoring device receives the registered data altered by the updating operation from the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

As to claim 12,

a controlled result transmitting unit transmitting a result controlled by the communications device based on the control command received from the first monitoring device from the communications device to the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67; and

wherein the first database updating unit updates registered data recorded in the database accommodated by the first monitoring device, when the first monitoring device receives the controlled result from the communications device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

As to control 13,

a control request receiving unit receiving a request for controlling the communications device from an operator; See 4:5-60; 6:25-62; 7:35-45; 8:56-67; and

wherein the control command transmitting unit transmits the control command with a network address of the first monitoring device from the first monitoring device to the communications device, when the first monitoring device receives the control request from the operator; See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

Art Unit: 2175

As to claim 14,

an alteration request receiving unit receiving a request for altering the database accommodated by the first monitoring device which does not control the communications device from the operator; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

wherein the control command transmitting unit transmits a dummy control command with a network address of the first monitoring device from the first monitoring device to the communications device, when the first monitoring device receives the alteration request which does not control the communications device from the operator; See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

As to claim 15,

wherein the control command transmitting unit transmits from the first monitoring device to the communications device the control command with the network address of the first monitoring device and a altered data specification data to specify registered data which is altered by the updating operation and recorded in the database accommodated by the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

wherein the address transmitting unit transmits from the communications device to the second monitoring device the network address of the first monitoring device and the altered data specification data which are received from the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

wherein the request transmitting unit transmits from the second monitoring device to the first monitoring device the read-out request with the altered data

Art Unit: 2175

specification data received from the communications device, when the second monitoring device receives registered data specified by the altered data specification data from the first monitoring device, the second monitoring device updates the registered data recorded in the database accommodated by the second monitoring device based on the registered data which is specified by the altered data specification data and received from the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

As to claim 16,

an address read-out request transmitting unit transmitting from the first monitoring device to the communications device a request for reading the network address of the second monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

an altered data read-out request transmitting unit transmitting from the first monitoring device to the second monitoring device a request for reading registered data which is altered by a updating operation and recorded in the database accommodated by the second monitoring device by using the network address of second monitoring device received from the communications device, when the first monitoring device receives the network address of the second monitoring device from the communications device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

a database updating unit updating registered data recorded in the database accommodated by the first monitoring device based on the registered data received from the second monitoring device, when the first monitoring device receives the

registered data which is altered by the updating operation and recorded in the database accommodated by the second monitoring device from the second monitoring device;
See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

As to claim 17,

an address read-out request transmitting unit transmitting from a second monitoring device to the first communication device a request for reading the network address of the first monitoring device, when the second monitoring device is newly connected to the network; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

a read-out request transmitting unit transmitting from a second monitoring device to the first monitoring device a request for reading data relevant to the second communications device which is recorded in the database accommodated by the first monitoring device, by using the network address of the first monitoring device received from the first communication device, when the second monitoring device receives the network address of the first monitoring device from the first communications device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67;

recording unit recording the data relevant to the second communications device received from the first monitoring device in a database accommodated by the second monitoring device, when the second monitoring device receives the data relevant to the second communications device from the first monitoring device; See 4:5-60; 6:25-62; 7:35-45; 8:56-67.

Allowable Subject Matter

Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an Examiner's statement of reasons for the indication of allowable subject matter: The prior art of record does not disclose, make obvious, or otherwise suggest the structure of the applicant's method of synchronizing databases wherein the first step, the first monitoring device transmits to the communications device the control command with the network address of the first monitoring device and a altered data specification data to specify registered data which is altered by the updating operation and recorded in the database accommodated by the first monitoring device; wherein the second step, the communication device transmits to the second monitoring device the network address of the first monitoring device and the altered data specification data which are received from the first monitoring device; wherein the fourth step, the second monitoring device transmits to the first monitoring device the read-out request with the altered data specification data received from the communications device, when the second monitoring device receives registered data specified by the altered data specification data from the first monitoring device, the second monitoring device updates the registered data recorded in the database accommodated by the second monitoring device based on the registered data which is specified by the altered data specification data and received from the first monitoring device together with the

other limitations of the independent claims. The dependent claims being further limiting and definite are also allowable.{PRIVATE }

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed August 12, 2003 have been fully considered but they are not persuasive.

Firstly, Applicant argues that there is no teaching in Leung that communications devices even if having Ethernet cards is not taught to use network addresses and that there is no reason to combine such prior art.

In response, Examiner maintains that Leung teaches using a workstation (computer) having data communication devices on a network and comprise necessary instructions to implement the invention (See 5:1-67). Further Leung's nodes (workstations) communicate to the server and one-another using their communications devices deemed to be network cards (ethernet cards). All network cards have network addresses otherwise they would not be able to communicate. Therefore, a network address for a device on a network is inherent in a network device and network

addresses are exchanged in order for networks devices to communicate with each other.

Secondly, Applicant argues that there is no teaching in Leung one monitoring device is updated based on registered data.

In response, Examiner maintains that Leung discloses such where Leung have a database monitor having a database monitoring interface wherein the user may define (register) which data instance to monitor. One such given example is wherein if a table increases (updated) beyond a certain number of rows, the user can be alerted; See 4:1-36.

Lastly, Applicant argues that Leung does not disclose or suggest any or all of the above described first to third features.

In response, Examiner maintains that Leung discloses such as stated above in the rejection.

Conclusion

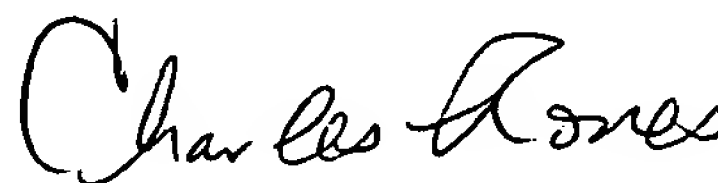
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



Charles L. Rones
Primary Examiner
Art Unit 2175

October 8, 2003